

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

EDWARD HANSON,

Plaintiff,

v.

GEORGIA DREAMWORKS REALTY, LLC,

Defendant.

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Civil Action No.:
5:20-CV-00104

DEFENDANT'S MOTION TO DISMISS

COMES NOW Georgia Dreamworks Realty, LLC, defendant in the above-styled action, and hereby files this motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(2), 12(b)(3), 12(b)(4), and 12(b)(6) and moves this Court for an order dismissing the above-styled action on the grounds that:

1. This Court lacks in personam jurisdiction over defendant because this defendant does not reside within the Middle District of Georgia and none of the alleged transactions and occurrences happened within the Middle District of Georgia;
2. The venue of this action is improper because defendant does not reside within the Middle District of Georgia, and none of the alleged transactions or occurrences happened within the Middle District of Georgia;
3. Process is insufficient in this matter because the attorney signing the complaint is neither a member of the Georgia Bar nor admitted to practice in the Middle

District of Georgia;

4. The complaint fails to state a claim upon which relief can be granted because the attorney filing this action is neither a member of the State Bar of Georgia nor admitted to practice in Middle District of Georgia.

In support of this motion, defendant relies upon the following:

1. All pleadings of record in this case;
2. The brief in support of this motion.

By filing this motion, defendant does not waive any affirmative defenses or matters in abatement, and defendant hereby expressly preserves and reserves any such affirmative defenses, matters in abatement, and/or any other defenses it possesses.

WHEREFORE, defendant respectfully request this Court to grant its motion to dismiss.

This 10th day of April, 2020.

YOUNG, THAGARD, HOFFMAN, LLP

Address of Counsel:

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BY: /s/ J. Holder Smith, Jr.
J. Holder Smith, Jr.
State Bar No. 661105
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing **DEFENDANT'S MOTION TO DISMISS** upon the following using the CM/ECF system which will send notification of such filing to the following:

Richard P. Liebowitz
Liebowitz Law Firm, PLLC
11 Sunrise Plaza, Suite 305
Valley Stream, NY 11580
Email: RL@LiebowitzLawFirm.com

This 10th day of April, 2020.

BY: /s/J. Holder Smith, Jr.
J. Holder Smith, Jr.
Attorney for Defendant